



U.S. Department of Justice

Antitrust Division

Liberty Square Building

*450 5th Street, N.W.
Washington, DC 20001*

September 28, 2022

The Honorable Maryellen Noreika
J. Caleb Boggs Federal Building
844 North King Street
Room 4324, Unit 19
Wilmington, DE 19801-3555

Re: United States of America v. United States Sugar Corporation, et al.
C.A. No. 21-1644 (MN)

Dear Judge Noreika:

On behalf of Plaintiff United States of America, I write to inform the Court that the Solicitor General has authorized an appeal in this case. The United States' appeal of the Court's judgment has been docketed with the Court of Appeals for the Third Circuit as Case No. 22-2806. (*See* D.I. 250.). The government thus requests an injunction pending appeal, or in the alternative, a 14-day temporary injunction to give the Third Circuit sufficient time to consider the United States' emergency motion for injunction pending appeal, which we likely will file in the Third Circuit later tonight (unless this court has itself granted an injunction before then).

The United States and Defendants agree that United States' motion (D.I. 246) and opening memorandum (D.I. 247) may be publicly docketed. Pursuant to the Government's telephonic conversation with Ms. Smith, we respectfully request that the Court unseal both docket items.

Respectfully submitted,

/s/ Brian Hanna